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HOUSE BILL 797

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO CONTROLLED SUBSTANCES; ELIMINATING A REQUIREMENT FOR LICENSED PHARMACIES TO PROVIDE CERTAIN INFORMATION AND REPORTS RELATED TO THE DISPENSING OF CERTAIN CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-31-16 NMSA 1978 (being Laws 1972, Chapter 84, Section 16, as amended) is amended to read:

"30-31-16. RECORDS OF REGISTRANTS. --

A. Every registrant under the Controlled Substances Act manufacturing, distributing or dispensing a controlled substance shall maintain, on a current basis, a complete and accurate record of each substance manufactured, received, sold or delivered by him in accordance with regulations of the board.

underscored material = new  
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1           Inventories as required in the federal Comprehensive Drug  
2 Abuse Prevention and Control Act of 1970 shall be deemed in  
3 compliance with inventory requirements under this section.

4           B. Records for drugs under Schedules I and II  
5 shall be kept separate from other records. Prescriptions for  
6 all Schedule I and II drugs and narcotic prescriptions for  
7 controlled substances listed in Schedules III, IV and V shall  
8 be maintained separately from other prescription drugs in  
9 accordance with regulations of the board.

10           C. Records for nonnarcotic controlled substances  
11 under Schedules III, IV and V shall be maintained either  
12 separately or in such form that they are readily retrievable  
13 and are marked for ready identification in accordance with  
14 regulations of the board. Prescriptions for nonnarcotic  
15 controlled substances shall be maintained either in a separate  
16 prescription file or in such form that they are readily  
17 retrievable from other prescription records and are marked for  
18 ready identification in accordance with regulations of the  
19 board.

20           D. Records shall be maintained for a period of at  
21 least three years from the date of the record and may be  
22 inspected as required by authorized agents of the board.

23           E. A practitioner is not required to keep records  
24 of controlled substances listed in Schedules II through V that  
25 he prescribes or administers in the lawful course of his

1 professional practice. He shall keep records of controlled  
2 substances that he dispenses other than by prescribing or  
3 administering.

4 ~~[F. Each pharmacy licensed in the state shall~~  
5 ~~provide information relating to the dispensing of any~~  
6 ~~controlled substance designated by the board. The board shall~~  
7 ~~administer the collection and dissemination of the information~~  
8 ~~obtained. The manner of reporting and the extent of the~~  
9 ~~required information shall be designated by regulation of the~~  
10 ~~board.] "~~